

Remarks

Entry of this Amendment, reconsideration of the application and allowance of all claims are respectfully requested. Claims 1-10, 12, 13, 16-30, 32, 33, 36-53, 55, 56 & 59-68 are now pending.

By this paper, independent claims 1, 21 & 44 are amended to include the subject matter of canceled dependent claims 11, 31 & 55, respectively. Additionally, independent claims 13, 33 & 56 are amended to include the subject matter of canceled dependent claims 14, 15, 34, 35, 57 & 58, respectively. Further, independent claims 41 & 42 are amended similarly to independent claims 13 & 33. Independent claims 16, 36, 43 & 59 remain as filed, and new claims 64-68 are added to more particularly point out and distinctly claim certain aspects of the present invention. No new matter is added to the application by any amendment presented.

In the Office Action, claims 1-63 were rejected under 35 U.S.C. 102(b) as being anticipated by Mizuyama et al. (U.S. Patent No. 5,946,693; hereinafter Mizuyama). This rejection is respectfully, but most strenuously, traversed and reconsideration thereof is requested.

Applicants request reconsideration and withdrawal of the anticipation rejection on the following grounds: (1) the Office Action has misinterpreted the teachings of the Mizuyama patent, thus voiding the basis for the rejection; (2) the Mizuyama patent lacks any teaching, suggestion or incentive for its further modification as necessary to achieve Applicant's recited invention; and (3) the necessary modifications, to the extent alleged in the Office Action, are a hindsight reconstruction of the claimed invention using Applicant's own disclosed subject matter.

Applicant's recited invention (e.g., recited in claim 1) is directed to a technique for auditing data of a data entry form which employs a plurality of observable objects. Each observable object is provided for a different, corresponding field of a plurality of fields of the data entry form to be audited, and each observable object includes logic to be used in auditing data of its corresponding field. The technique further includes auditing data of the plurality of fields using the plurality of observable objects.

POU920010007US1

-15-

In enhanced aspects, when the auditing logic of a particular observable object detects that a specified event, such as a change in the data, has occurred, then a modifier object is automatically created, which includes the logic for accommodating the specified event. The modifier object is added to a pool of objects, and it is the responsibility of an observer to retrieve the modifier object and execute its logic.

A stated goal of the present invention is to overcome deficiencies of previous techniques associated with auditing various features, including reducing the complexity of the auditing logic and decentralizing the auditing responsibility. Thus, in accordance with the present invention, each feature to be audited is represented by a different observable object (see paragraph [0037] of the specification).

Mizuyama describes a system for communicating among objects and establishing links among them. As shown in Fig. 1, an observable object (101) for one or more groups of slot data is defined, including a slot name, data, and access procedure code which performs access to the data. An observer object 102 acquires a slot descriptor for the purpose of identifying slot data, by opening the slot data of the observable object using the slot name in which they are stored. The relationship between the observer object and the observable object can be determined dynamically at the time of execution by specifying the slot name (the slot descriptor), without needing to define them in the class source codes which define those objects. In this way, it is possible to develop and operate a system for communication between objects. By means of the additive type of configuration presented, data stored in the slot data defined by one observable object can be referred to by a plurality of observer objects simultaneously.

Initially, Applicant respectfully traverses the characterizations of the teachings of Mizuyama stated in the Office Action with respect to claims 11, 14, 31, 34, 54 & 57, now recited in independent claims 1, 13, 21, 33, 41, 42, 45 & 56 (as well as original claims 16, 36, 43 & 59). Specifically, Applicant's processing includes providing a plurality of observable objects, with each observable object being provided for a different, corresponding field of a plurality of fields of a data entry form to be audited. A careful reading of Mizuyama fails to uncover any discussion of a data entry form *per se*, let alone the auditing of a data entry form using a facility such as recited by Applicant. In Applicant's independent claims, a different observable object is defined for each field of a plurality of fields of the data entry form to be audited.

POU920010007US1

-16-

Further, each observable object includes logic to be used in auditing data of its corresponding field. In support of a rejection of the subject matter, the Office Action generally references column 2, lines 5-18 & 22-52 of Mizuyama. No explanation is provided as to how these lines anticipate Applicant's recited functionality. Applicant respectfully submits that a review of this material, including the figures of Mizuyama, reveals that Mizuyama is describing a technique for communicating among objects and establishing linkages among them, wherein a single observable object of the system is provided which includes one or more groups of slot data. Thus, the approach of Mizuyama is a centralized approach wherein a plurality of observer objects can refer to the centralized observable object. As noted above, a goal of the present invention is to provide a facility which is decentralized in order to limit a possible bottleneck that might occur with multiple observers attempting to access data fields in one observable object. Thus, one busy observable object and corresponding data field will not affect other fields of the data entry form to be audited using Applicant's approach.

For at least the above reasons, Applicant respectfully submits that the Office Action mischaracterizes the teachings of Mizuyama when alleging the anticipation rejection to the subject matter of the independent claims presented. Mizuyama does not disclose a facility for providing a plurality of observable objects, with each observable object being provided for a different, corresponding field of a plurality of fields of a data entry form to be audited. Since this teaching is clearly missing from Mizuyama, Applicant respectfully requests reconsideration and withdrawal of the anticipation rejection to their independent claims.

Still further, various independent and dependent claims recite additional aspects of Applicant's invention which are not taught or suggested by Mizuyama. For example, independent claims 13, 33, 42 & 56, as well as dependent claims 3, 5, 6, 23, 25, 26, 46, 48 & 49 recite functionality which includes building a modifier object for a corresponding field in response to the auditing determining that a specified event related to the corresponding field has occurred. A careful reading of Mizuyama fails to uncover any similar functionality. In this regard, the Office Action again references column 2, lines 35-52 of Mizuyama. However, these lines describe an observable object being formed so as to include an isModified procedure code whether or not data stored in each of the slot data defined by the observable object has changed. Then, the observer object can be formed so as to include the method code which includes the "isModified" method code for the purpose of specifying the slot data specified by the first

POU920010007US1

-17-

method code and executing the isModified procedure code included in the observable object. Although this reference to Mizuyama does discuss a modification method, the Mizuyama method does not build a modifier object *per se*, let alone build a modifier object for each corresponding field in response to the auditing determining that a change has occurred in data of the corresponding field.

Still further, certain of these claims recite forwarding each modifier object to a pool of one or more modifier objects. Again, no similar functionality is described by Mizuyama. The isModified procedure of Mizuyama comprises code within the observable object, and would not be understood by one skilled in the art as comprising a modifier object that is built for a corresponding field in response to the auditing determining that a specified event related to the corresponding field has occurred. As noted above, the observable object is formed so as to include the isModified procedure code originally, which detects whether or not data stored in each of the slot data defined by the observable object has changed. In Applicant's invention, the modifier object is built responsive to an audit determining that a specified event relating the corresponding field has occurred. Further, in Applicant's invention, this modifier object is forwarded to a pool of one or more modifier objects.

Yet further, certain of these claims specify informing an observer object that the modifier object has been added to the pool, and then subsequently retrieving by the observer object the modifier object from the pool and running, by the observer object, a modified method of the modifier object to accommodate the change in the data of the corresponding field. Again, no similar functionality is set forth by Mizuyama. Mizuyama simply describes an isModified procedure code stored within the observable object. There is simply no teaching or suggestion of Applicant's recited functionality in the Mizuyama patent.

For these additional reasons, Applicant respectfully submits that the Office Action mischaracterizes the teachings of Mizuyama when applied against the functionality of Applicant's claims at issue. There is no building of a modifier object in Mizuyama for a corresponding field, nor is there any building of a modifier object in Mizuyama responsive to an auditing determining that a specified event relating to the corresponding field has occurred. Still further, there is no forwarding of a modifier object to a pool of one or more modifier objects, nor is there any retrieving by an observer object of the modifier object from the pool and running of

a modifier method of the modifier object to accommodate the specified event. For these additional reasons, Applicant respectfully requests reconsideration and withdrawal of the anticipation rejection to the claims at issue.

Further, upon a review of Mizuyama, there is no teaching, suggestion or incentive for its further modification as would be necessary to achieve Applicant's invention. Again, in addition to the observable object in Mizuyama being a centralized approach, there is no discussion therein of providing a plurality of observable objects, with each observable object being provided for a different, corresponding field of a plurality of fields of a data entry form to be audited.

Yet further, the characterizations of the teachings of Mizuyama in the Office Action provide no technical basis outside that contained in Applicant's own specification. The Office Action's characterizations of Mizuyama merely assert the language of Applicant's claimed invention in hindsight without explaining how Applicant's various claims would have been anticipated to one of ordinary skill in the art based upon Mizuyama. Thus, the rejection violates the well-known principle that Applicant's own disclosure cannot be used as a reference against him.

Applicant notes that the consistent criterion for the determination of obviousness is whether the art would have suggested to one of ordinary skill in the art that the claimed invention should be carried out and would have a reasonable likelihood of success, viewed in light of the prior art. The suggestion and the expectation of success must be found in the prior art, not in Applicant's disclosure. In re Dow Chemical Company, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1998) (multiple citations omitted). The rejections at issue simply characterize Mizuyama in the language of Applicant's own disclosure, rather than identify a basis in the prior art for achieving the modifications necessary to arrive at Applicant's claimed invention, in violation of this well-known principle. This is yet another, independent reason why the current invention is not anticipated by or obvious over the applied art.

In summary, Applicant traverses the rejection of his claims at issue based upon the various misinterpretations of the Mizuyama patent; the lack of an actual teaching or suggestion of his invention in Mizuyama; and the use of Applicant's own disclosure and results as a basis for any alleged modifications.

POU920010007US1

-19-

There is no discussion in Mizuyama of providing a plurality of observable objects, each observable object being provided for a different, corresponding field of a plurality of fields of a data entry form to be audited. Nor is there any discussion in Mizuyama of building a modifier object for a corresponding field, in response to the auditing determining that a specified event relating to the corresponding field has occurred, or the forwarding of the modifier object to a pool of one or more modifier objects, or the retrieving, by an observer, the modifier object from the pool, and the running of a modifier method of the modifier object to accommodate the specified event.

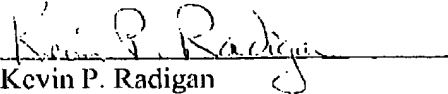
For all the above reasons, Applicant respectfully submits that the independent claims patentably distinguish over the teachings of Mizuyama. Reconsideration and withdrawal of the anticipation rejection based thereon is therefore requested.

The dependent claims are believed allowable for the same reasons as the independent claims, as well as for their own additional characterizations. In addition to the various dependent claims discussed above, Applicant notes that claims 2, 22, 45 & 64 recite that the plurality of observable objects provide decentralized locations for auditing data of the plurality of fields. This is contrary to the discussion and depictions in Mizuyama, which appear to centralize the data structure in one observable object. The observable object in Mizuyama becomes a central manager, with each observer registering with the observable object to view an internal data field thereof. This is clearly contrary to Applicant's recited decentralized processing.

For at least the above reasons, Applicant respectfully submits that all claims are in condition for allowance, and such action is respectfully requested.

If a telephone conference would be of assistance in advancing prosecution of the subject application, Applicant's undersigned attorney invites the Examiner to telephone him at the number provided.

Respectfully submitted,


Kevin P. Radigan
Attorney for Applicant
Registration No.: 31,789

Dated: April 05, 2005.

HESLIN ROTHENBERG FARLEY & MESITI P.C.
5 Columbia Circle
Albany, New York 12203-5160
Telephone: (518) 452-5600
Facsimile: (518) 452-5579

POU920010007US1

-21-